

order of selection set forth in § 330.705. In addition, the following apply:

(1) An agency cannot select another candidate from outside the agency if eligible employees are available for the vacancy or vacancies.

(2) If two or more eligible employees apply for a vacancy and are determined to be well-qualified, any of these eligible employees may be selected.

(3) If no eligible employees apply or none is deemed well-qualified, the agency may select another candidate without regard to this subpart. (This flexibility does not apply to selections made from the agency's Reemployment Priority List as described in subpart B of this part.)

(c) An agency may select a candidate from its Career Transition Assistance Plan or Reemployment Priority List, as described in subparts F and B of this part respectively, or another current agency employee (if no eligible employees are available through its CTAP) at any time.

§ 330.709 Qualification reviews.

Agencies will ensure that a documented, independent second review is conducted whenever an otherwise eligible employee is found to be not well-qualified. The applicant must be advised in writing of the results of the second review.

§ 330.710 Reporting.

(a) Each agency shall submit an annual report covering each fiscal year activity under this subpart to OPM no later than December 31 of each year.

(b) Each report will include data specified in § 330.610 of subpart F of this part, and will also include information on:

(1) The number of selections of ICTAP eligible employees from other Federal agencies;

(2) The number of ICTAP candidates found not well-qualified;

(3) The number of ICTAP candidates found well-qualified;

(4) The number of selections of competitive service tenure group 1 or 2 employees from other Federal agencies who are not displaced;

(5) The number of declinations from ICTAP eligible candidates;

(6) The number of competitive service tenure group 1 or 2 appointments from outside the Federal Government; and

(7) The number of placements made from the agency's Reemployment Priority List.

§ 330.711 Oversight.

OPM is responsible for oversight of the Interagency Career Transition Assistance Plan for Displaced Employees and may conduct reviews of agency activity at any time.

Subpart H [Reserved]

Subpart I—Full Consideration of Displaced Defense Employees

SOURCE: 58 FR 18141, Apr. 8, 1993, unless otherwise noted.

§ 330.901 Purpose.

The purpose of this subpart is to implement section 4432 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) to provide full consideration to eligible displaced Defense employees who apply for jobs in non-Defense agencies.

§ 330.902 Coverage.

(a) *Agencies covered.* This subpart applies to:

(1) The executive departments listed at 5 U.S.C. 101, except the Department of Defense;

(2) Government corporations in the executive branch as described at 5 U.S.C. 103; and

(3) Independent establishments in the executive branch as described at 5 U.S.C. 104, except the General Accounting Office, U.S. Postal Service, and Postal Rate Commission.

(b) *Positions covered.* This subpart applies to vacant positions being filled in the Senior Executive Service, competitive service, and excepted service. Excluded are positions determined to be of a confidential, policy-determining, policy-making, or policy-advocating character, positions filled prior to October 24, 1992, and positions for which an agency had made a final employment commitment prior to issuance of this subpart.